

REMARKS

The requirements for restriction being the only issue raised in the present Office Action, this paper is fully responsive to the same. The Applicants hereby reserve the right to file a divisional application for any non-elected subject matter in this application.

Each of claims 1-90 has been previously examined and allowed in Notice of Allowance dated October 4, 2004. However, prior to payment of the Issue Fee, an International Search Report (containing four references) was brought to the attention of the Applicants, thus resulting in the filing of a Request for Continued Examination, accompanied by an Information Disclosure Statement as the submission therewith.

MPRE section 811 provides that “[b]efore making a restriction requirement after the first action on the merits, the examiner will consider whether there will be a serious burden if restriction is not required.” There is no indication by the Examiner in the present action that such a burden would exist in this instance. Moreover, the Applicants respectfully submit that, given the present stage of the prosecution of the pending application, no serious burden is put upon the Examiner in considering each of the remaining pending claims (i.e., Group I, claims 31-60 and Group II, claims 61-90). Since the newly discovered references have already been provided to the Examiner, no additional searches are required for the previously examined claims.

Accordingly, the Applicants respectfully request reconsideration and withdrawal of the Restriction requirement during the examination of the claims in light of the newly cited references.

No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Response, please charge them to Deposit Account No. 06-1130 maintained by Applicants' Attorneys. If the Examiner has any queries regarding the presently submitted response, the Applicants' attorney respectfully requests the courtesy of a telephone conference to discuss the same.

Respectfully submitted,
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